

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PERSONALIZED MEDIA
COMMUNICATIONS, LLC,**

Plaintiff,

v.

ZYNGA INC.,

Defendant.

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**Civil Action No.
2:12-cv-68-JRG-RSP**

JURY TRIAL DEMANDED

**JOINT MOTION FOR ORDER DISMISSING CLAIMS 18 AND 23 OF U.S. PATENT
NO. 7,734,251**

Plaintiff Personalized Media Communications, LLC (“PMC”) and Defendant Zynga, Inc. (“Zynga”) hereby move for an order dismissing claims 18 and 23 of U.S. Patent No. 7,734,251 (together, the “Dismissed Claims”). PMC and Zynga stipulate to the following:

1) PMC, for itself and any successor in interest to the Dismissed Claims, covenants not to sue Zynga or any customer of Zynga for infringement of the Dismissed Claims now or in the future (including for any possible past damages or any injunctive or other relief) for any Covenanted Products. Covenanted Products shall mean any past or present product or service that Zynga has made, used, sold or offered for sale, or currently makes, uses, sells or offers for sale

2) PMC agrees to dismiss with prejudice all claims in this litigation against Zynga based on infringement of the Dismissed Claims.

3) Zynga agrees to dismiss without prejudice its counterclaims in this litigation related to the Dismissed Claims.

Dated: November 11, 2013

Respectfully submitted,

/s/ Robert S. Harrell (with permission)

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**COUNSEL FOR DEFENDANT
ZYNGA INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on November 11, 2013, in compliance with the Federal Rules of Civil Procedure.

/s/ Steven M. Zager
Steven M. Zager

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for Plaintiff and counsel for Defendant conferred via e-mail on November 10, 2013, and the parties agree to the relief sought in this motion.

/s/ Steven M. Zager
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